

# EXHIBIT B

# New York Scheduling Rules

## Store Manager Need to Know

**Starting November 24, 2017, stores in the city of New York must comply with a law that impacts how we schedule partners. Below, you'll find a summary of everything you need to set your partners up for success.**

### Initial Estimate of Hours

Partners hired on or after November 24, 2017 must be provided with a written Good Faith Estimate of the intended weekly work schedule including expected days, times and locations.

- Use the *Partner Availability and Good Faith Estimate Form* to provide a range of hours, days, and times the partner is expected to work each week. Weekly schedules will be based on the range of days and hours provided in the Good Faith Estimate. The partner must be provided with a copy of this form.
- If the partner's regular availability changes, or the partner's regular work schedule significantly deviates from the Good Faith Estimate, work with the partner to complete a new *Partner Availability and Good Faith Estimate Form*.
- Retain one signed copy of the *Partner Availability and Good Faith Estimate Form* in the partner's file for audit purposes, and give one signed copy to the partner, along with a copy of the partner's schedule for the week.
- Upon transfer, send the partner file (including the signed form) to the receiving store.

### 2 Week Notice of the Schedule

The law requires schedules to be posted 14 days in advance.

- Starbucks standard exceeds this requirement; the expectation continues that store managers post schedules for the current week plus 2 weeks.
- Absent key exceptions set forth below, changes made to the partner's schedule with less than 14 days' notice will trigger predictability pay, even if the change is necessary for business reasons.
- Predictability pay is not triggered when the partner requests the changes and completes the *Schedule Change Log*.
- If the schedule changes, a new schedule must be posted to reflect any change within 24 hours of when the change is known (or as soon as possible if the change is effective within 24 hours). Any partners affected by the change must be given a copy of their revised schedules.

### Additional Shifts to Existing Partners

- Before hiring new partners for any additional shifts in your home store, you must first offer the shifts to existing partners in the store. If no partners are interested, you must then offer the shifts to partners working in your store's borough.
- For 3 consecutive days, available shifts must be posted concurrently in your store and in all stores located in your store's borough.
- You are required to post additional shifts by accessing the *NYC Shift Posting Form* for your store's borough on the SharePoint and completing all fields on the Form. This information will be processed and distributed through email to you and all Store Managers in the borough. Within 24 hours of receiving the consolidated *NYC Shift Posting Form*, store managers must print, date and post the Form (for 3 consecutive days) in the back of the house near the posted schedules.
- You must wait 3 consecutive days before hiring any new partners to fill these open shifts.
- Available shifts will be distributed based on the qualifications of the partner and the business needs of the store.
- Partners from the home store get priority over partners from other stores.

## Predictability Pay

Beginning November 24, 2017, store-initiated changes made to the schedule with less than 14 days' notice, absent certain exceptions, require an additional premium pay to the affected partner.

- Use the *Schedule Change Log* (available to print from the Partner Hub) each week to record and approve all changes to the schedule, including partner requests for schedule changes. *Consult your district manager if you are unsure of whether a business need requires a schedule change.*
- Attach the *Schedule Change Log* to the divider titled 'Punch Communication Log' in the Daily Records book.
- If predictability pay is required, enter it in the *Punch Communication Log* and the payroll system using the pay code "Predictability Pay Amount." Refer to the predictability pay requirements and examples below.
- Partners do not have to work any additional hours above their posted schedule. If they voluntarily agree to do so, the partner must first consent to work the additional hours and receive supervisory approval in the *Schedule Change Log*. If prior consent and approval cannot be written in the *Schedule Change Log* prior to working the shift, they must be entered as soon as practical.

**Key Exceptions:** Starbucks **does not** have to provide predictability pay if the following conditions apply:

- **The change in work schedule is 15 minutes or less.**
- Partner requests a change in the schedule. Schedule change requests must be submitted in writing via the *Schedule Change Log*. When two partners agree to switch or cover shifts, this will be treated as a request to change schedules by both partners. Both partners must complete the *Schedule Change Log* and obtain manager approval.
- Emergency situations, such as if the business closes due to threats to safety, public utility failure, a natural disaster, weather or a state of emergency declared by a public official.
- Partner is receiving overtime for the time worked.

## Requirements

Store-initiated changes to a partner's schedule **with less than 14 days'** notice triggers predictability pay and requires the following compensation be paid to the partner:

- Less than 14 days' notice without loss of hours = **\$10**
- Less than 7 days' notice without loss of hours = **\$15**
- Less than 14 days' notice with loss of hours = **\$20**
- Less than 7 days' notice with loss of hours = **\$45**
- Less than 24 hours' notice with loss of hours = **\$75**

**Premium payments will be charged to the partner's home store.**

## Examples:

| Management-Initiated Schedule Change           | Predictability Pay Required | Example Scenario   | Outcome  |
|--|-----------------------------|--|--|
| Less than 7 days' notice without loss of hours | <b>\$15</b>                 | <i>You just learned about a parade happening this Saturday. You ask Nicole to work 6 am – 10 am instead of 10-2 as she was originally scheduled.</i> | <i>Nicole's schedule was changed with no loss of hours. You will pay her \$15 of predictability pay.</i> |
| Less than 7 days' notice with loss of hours    | <b>\$45</b>                 | <i>A community event that was planned for today</i>  | <i>Wyman's schedule was changed with a loss of</i>   |

has been cancelled. You ask Wyman to work from 6 am to 10 am instead of his scheduled shift of 6 am to 2 pm. hours. You will pay him \$45 of predictability pay.

### Period of Rest:

- Starbucks policy does not permit New York City Partners to be scheduled for or work a shift with less than 11 hours of rest in between shifts. This applies to shifts that cross a midnight day divide (close one night and open the next morning), or to shifts that span two days (24-hour stores). The GLS system will not allow this type of shift to be scheduled.
- In an emergency, consult your district manager to find coverage for your store. In emergency situations only, a partner may voluntarily agree to work a shift with less than an 11-hour period of rest in between shifts, but must first consent to work the shift and obtain managerial approval. The partner and manager must then log the consent, approval, and schedule change in the *Schedule Change Log*. If information cannot be entered in the log in advance, it must be entered as soon as practical.
- If you are borrowing a partner from another store, you are responsible for asking that partner how long it has been since he or she worked their last shift.
- If a partner chooses to swap into a shift with less than an 11-hour period of rest without approval, initiate a coaching conversation or corrective action. Even if the partner failed to obtain advance approval, you must ensure the partner is paid the required \$100 premium if this type of shift was worked.

### Partner Request for Schedules

- By law, partners may request copies of their schedules for the prior three years. These must be provided within 14 days of the request. Please contact your district manager if a partner makes this type of request.
- Partners, upon their request, are also entitled to the schedules of other partners but for the current week only.
- Stores are not permitted to post or disclose the schedules of partners who have been granted an accommodation based on their status as a survivor of domestic violence, stalking, or sexual assault.

### SM Checklist

- Attend the New York City Scheduling Law training
- Review the scheduling law with the partners in your store by providing each partner with the Barista Need to Know and showing partners the new *Partner Availability and Good Faith Estimate Form* and *Schedule Change Log*.
- Distribute the partner letter/acknowledgement forms; collect signed acknowledgement forms and place in each partner's store partner file.
- Confirm that partners are being paid the appropriate predictability pay by comparing the PCL with the Predictability Pay Reporting.
- Upon hire, work with each new partner to complete and file the *Partner Availability and Good Faith Estimate Form*. Provide a copy of the form to the partner.
- Ensure that schedules are finalized and posted by Monday at 5 p.m. for the current week plus 2 weeks out.
- When available, post labor poster regarding the New York Fair Workweek Law in a conspicuous location in the store, preferably above the store schedule. Your DM will provide this poster to you.
- If a question is asked that you are unable to answer, please contact your district manager or the Partner Resources Support Center (PRSC) at (866) 504-7368 for further support.